

### **Remarks**

Reconsideration of rejections in the Office action dated 04/06/2007 is respectfully requested.

#### **I. Amendments to the specification**

The specification has been amended to clarify the term "machine-readable code" as it appears on page 5, in the paragraph in lines 1-4, on page 5, in the paragraph in lines 5-14, on page 8, lines 5-12, on page 9, lines 17-24 and on page 31, in the Abstract, to read "machine-readable storage medium embodying computer-executable code."

A similar amendment has been made to the paragraph on page 6, in the paragraph in lines 23-29, to clarify that the "code" in the system is "in the form of a machine-readable storage medium embodying computer-executable code which is operable to control an electronic computer. as will be readily understood from the description of the operation of the code herein," and as is inherent in the description of the code and system described with respect to Figs. 2A, 2B, 5, and 7, and as would be well-recognized by a person of skill in the art.

No new matter is added by these amendments.

#### **II. Amendments to the claims**

Claims 19-26 have been amended to to replace the term "machine-readable code" with the term "machine-readable storage medium embodying computer-readable code," as suggested by the Examiner, and consistent with the above amendments to the specification.

No new matter is introduced by these amendments.

#### **III. Rejections under 35 U.S.C. §101**

Claims 19-27 were rejected under 35 U.S.C. §101 as directed to non-statutory subject matter, for the reason that the claims define a code embodying functionally descriptive material, but do not define a computer readable medium or

memory. This rejection is respectfully traversed in view of the above claim amendments and following remarks.

Claims 19-27 have been amended, as noted in Section II above, to replace the term "machine-readable code" with the term "machine-readable storage medium embodying computer-readable code," thus clarifying that the "code" is a medium in which the code is embodied.

Since the amended claims overcome the grounds for the rejection under 35 U.S.C. §101, it is respectfully requested that the rejections be withdrawn.

Conclusion

In view of the foregoing, the applicant submits that the claims pending are now properly directed to statutory subject matter under 35 U.S.C. §101. A Notice of Allowance is therefore respectfully requested.

If in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is encouraged to call the undersigned at (650) 838-4401.

Respectfully submitted,

/Peter J. Dehlinger/

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